

**COMMUNITY HEALTH WORKER (CHW) AGENCY ADDENDUM**  
**TO THE SOUTH DAKOTA MEDICAID PROVIDER AGREEMENT**

This document serves as a formal addendum to your South Dakota Medicaid Provider Agreement and enables you to become an enrolled Community Health Worker (CHW) Agency.

As a participating Provider, the CHW Agency hereby agrees to the provisions of the Provider Agreement and the following:

**A. Definitions:**

1. "Community Health Worker Agency" is an enrolled South Dakota Medicaid provider that employs CHWs to provide CHW Services to eligible recipients.
2. "Community Health Worker" (CHW) is an individual certified by the Community Health Worker Collaborative of South Dakota. A CHW may be a relative or legal guardian of an eligible recipient if they meet all the CHW Agency's qualifications and training requirements.
3. "Community Health Representative" (CHR) is an individual who has completed an approved CHR training program through Indian Health Service (IHS) and works under the American Public Health Association definition of a CHW and the IHS definition of a CHR. For purposes of this addendum, the term Community Health Worker (CHW) is inclusive of Community Health Representatives.
4. "CHW Service" is a preventive health service to prevent disease, disability, and other health conditions or their progression for individuals with a chronic condition or at risk for a chronic condition who are unable to self-manage the condition or for individuals with a documented barrier that is affecting the individual's health. The service must be ordered by a physician, nurse practitioner, physician assistant, nurse midwife, or dentist and must be related to an intervention or barrier outlined in the recipient's care plan.
5. "Eligible Recipient" is an individual with either full South Dakota Medicaid/CHIP coverage or South Dakota Medicaid or CHIP coverage under aid categories 47, 77, or 79. The individual must have one of the following: 1. a chronic condition, 2. be at risk for a chronic condition and be unable to self-manage the condition, or 3. have a documented barrier that is affecting his or her health.
6. "Care Plan" is a written plan specifying the condition that the CHW Service is being ordered for and the duration of the service. A care plan must contain written objectives which specifically address the recipient's condition or barrier affecting their health and list the specific services required for meeting the written objectives. Care plans must be reviewed at least semiannually by the ordering provider.

**B. Requirements:**

- 1) The CHW Agency shall comply with all applicable Administrative Rules of South Dakota ("ARSD"), South Dakota Medicaid State Plan requirements, the SD Medicaid Provider Agreement, and this CHW Supplemental Addendum.

- 2) The CHW Agency agrees that CHW Services are reimbursed at the lesser of the agency's usual and customary charge or the established Medicaid fee and are deemed payment in full. South Dakota Medicaid rates are posted online at <http://dss.sd.gov/medicaid/providers/feeschedules/>.
- 3) The CHW Agency is required to maintain documentation and verification demonstrating compliance with all provisions in this Supplement. Verification and documentation must be readily available upon request.
- 4) The CHW Agency must meet the requirements as well as have a Policy and Procedure Manual outlining the minimum written policies on the following topics:
  - a) Abuse and Neglect Reporting
    - i) The policy must conform to any applicable mandatory reporting laws.
    - ii) The CHW Agency and their employees are required to immediately report any suspected abuse or neglect of an eligible recipient to law enforcement.
  - b) Staffing
    - i) The CHW Agency policy must indicate that all CHWs will obtain and maintain certification through the CHW Collaborative of South Dakota.
    - ii) The CHW Agency is responsible for the oversight of staff including CHW who are relatives/legal guardians of the eligible recipient in the completion of their assigned tasks.
    - iii) The CHW Agency must have a written policy regarding the scope of services a CHW may provide. The policy must prohibit CHWs from providing services that require a license.
  - c) Staff Training
    - i) The staff training policy which includes identification of the processes and timelines for new staff orientation and annual staff training.
    - ii) The CHW Agency must provide a new Employee Orientation to each new employee before the employee enters an eligible recipient's home unsupervised.
    - iii) Each CHW must receive a minimum of 6 hours of training annually.
    - iv) The CHW Agency must maintain a training record for each CHW will include the date, length, and topic of each training completed.
    - v) The CHW Agency must provide training on mandatory reporting laws to staff on at least an annual basis.
    - vi) The CHW Agency training must provide CHW and other staff training on the eligible recipient rights and responsibility policy on an annual basis.
    - vii) The CHW Agency must educate employees on the scope of services policy annually.
  - d) Intake/Admission
    - i) The intake/admission process must include the provider's process for reviewing and accepting referrals from ordering providers as well as the process to ensure CHW Services will begin in a timely manner.
    - ii) The CHW Agency is expected to consider all referrals but may turn down a referral due to safety concerns, unavailability of staff, or inability to serve the eligible recipient's need.

- e) Discharge
  - i) When the CHW Agency determines services to an eligible recipient must be discontinued by their agency, the CHW Agency must provide 30 days advance written notice prior to the discharge date, unless the eligible recipient's home constitutes an unsafe environment for provider staff and/or the eligible recipient.
  - ii) The policy will include the discharge reasons.
  - iii) Any discharge reason must specify the reason for discharge.
- f) Eligible Recipient Confidentiality
  - i) The confidentiality policy must include specifics on maintenance of recipient records, transmission of personal recipient information and confidentiality practices by staff.
- g) Recipient Rights and Responsibilities
  - i) The policy must contain a section on the recipient rights and responsibilities.
- h) Documentation
  - i) The documentation policy must outline how CHWs document each interaction with an eligible recipient.
  - ii) Documentation must be kept for each eligible recipient.
  - iii) Documentation can be kept in written or electronic form and must be easily accessible upon request.
  - iv) Documentation must include, at a minimum, the type of service performed including whether it was an individual or group service; a summary of services provided including the objectives in the care plan the service is related to; the eligible recipient receiving the service; the number of group members if a group service was provided; the date of the service; the location of service delivery; the time the service begins and ends; the name of the individual providing the service; and the signature of the individual providing the service.
- i) Incident Reporting
  - i) The CHW Agency must immediately notify South Dakota Medicaid of any eligible recipient-related concerns, incidents and occurrences, including possible exploitation, that are not consistent with routine care.
  - ii) The policy must outline a process for doing periodic analysis of reported incidents and the development of a plan to monitor incidents and prevent future incidents.
  - iii) CHW agencies must submit an incident report to South Dakota Medicaid documenting the circumstances of any incident that involves serious injury, missing person, restraint, seclusion, or death.
- j) Emergency Response
  - i) "Emergency" is a situation that is sudden, generally unexpected, and demands immediate attention.
  - ii) When a CHW is in an eligible recipient's home and an emergency occurs, the CHW must call 911 immediately.
- k) Health and Safety including Universal Precautions
  - i) The policy must include detail on the use of universal precautions.

- l) Quality Assurance
  - i) The written quality assurance and improvement plan must detail all activities conducted by the CHW Agency to ensure quality service provision.
  - ii) The CHW Agency must also specify how the CHW Agency will discover, fix, and report problems.
  
- m) Eligible Recipient Grievances
  - i) The eligible recipient grievance policy must include how the eligible recipient is notified of the grievance policy, where grievances are reported and the process for addressing and resolving eligible recipient grievances and feedback.
  
- n) Gifting Policy
  - i) The gifting policy must detail the CHW Agency's expectations and prohibitions for staff accepting gifts from eligible recipients.
  - ii) The Agency must maintain a policy that states verbatim "Per ARSD 67:16:01:07 payment by South Dakota Medicaid is considered payment in full for CHW Services. No additional charges may be made to the eligible recipient, family, or friends for covered services."

**TO BE COMPLETED BY PROVIDER**

I declare and affirm under the penalties of perjury that this Agreement has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further declare and affirm under the penalties of perjury that any claim to be submitted pursuant to this Agreement will be examined by me, and to the best of my knowledge and belief, will be in all things true and correct.

PROVIDER NAME: \_\_\_\_\_  
(Legal Name of Organization)

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Authorized Signature

NAME: \_\_\_\_\_  
(Printed Name of Signatory)

BILLING NPI: \_\_\_\_\_

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**TO BE COMPLETED BY MEDICAL SERVICES**

POLICIES & PROCEDURES APPROVED BY: \_\_\_\_\_

REFERENCE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_ NEW \_\_\_\_\_ REVALIDATION \_\_\_\_\_